

CHAPTER 7-03.1-10
STANDARDS FOR THE COMPOSITION OF MILK PRODUCTS AND CERTAIN
NONMILKFAT PRODUCTS

Section

7-03.1-10-01

Standards for the Composition of Milk Products and Certain
Nonmilkfat Products

7-03.1-10-01. Standards for the composition of milk products and certain nonmilkfat products. The standards for the composition of milk products and certain nonmilkfat products are attached in tabular form as appendix to this chapter. The minimum standards shall comply with those standards set by the food and drug administration or the United States department of agriculture.

History: Effective August 1, 1986; amended effective July 1, 1991.

General Authority: NDCC 4-29-03, 4-29-04, 4-30-55.1

Law Implemented: NDCC 4-30-35, 4-30-36

**STANDARDS FOR THE COMPOSITION OF MILK
PRODUCTS AND CERTAIN NONMILK FAT PRODUCTS
(Appendix)**

PRODUCT	MILK FAT	CONTENT	MOISTURE CONTENT NOT MORE THAN	MILK SOLIDS NOT LESS THAN	MISCELLANEOUS REQUIREMENTS
ADDITIONAL	Min.	Max.	Total Solids	S.N.F.	
1. Whole milk	3.25%			8.5*	*Must be in compliance with National Food Labeling Laws and FDA Requirements
2. 2% milk	1.9%	2.1%		8.5*	*Must be in compliance with National Food Labeling Laws and FDA Requirements
1% milk	.9%	1.1%		8.5*	

PRODUCT	MILKFAT CONTENT		MOISTURE CONTENT		MILK SOLIDS		MISCELLANEOUS REQUIREMENTS
	Min.	Max.	NOT MORE THAN		NOT LESS THAN		
3. Skim milk		0.5%		Total Solids	8.5*		*Must be in compliance with National Food Labeling Laws and FDA Requirements Same requirements as low fat
4. Acidified or Cultured Milk	3.25%				8.5*		Not less than .5% acidity expressed as Lactic Acid
5. Lowfat Acidified or Cultured Milk	0.5%	2.0%			8.5*		Not less than .5% acidity expressed as Lactic Acid
6. Skim Acidified or Cultured Milk		0.5%			8.5*		Not less than .5% acidity expressed as Lactic Acid
7. Half and half	10.5%	18.0%					
8. Sour half and half	10.5%	18.0%					Not less than .5% acidity expressed as Lactic Acid
9. Dry cream	40.0%	75.0%	5.0%				
10. Heavy cream	36.0%						
11. Light cream	18.0%	30.0%					
12. Light Whipping Cream	30.0%	36.0%					

PRODUCT	MILKFAT	CONTENT	MOISTURE CONTENT	MILK SOLIDS	MISCELLANEOUS
			NOT MORE THAN	NOT LESS THAN	REQUIREMENTS
13. Sour cream	<u>Min.</u> 18.0%	<u>Max.</u>		<u>Total Solids</u>	<u>S.N.F.</u> When the food is characterized by the addition of bulky flavoring ingredients, the weight of the milkfat is not less than 18% of the remainder obtained by subtracting the weight of such optional ingredients from the weight of the food. In no case does the food contain less than 14.4% milkfat.
14. Acidified Sour Cream	18.0%				Same as above, but also add not less than .5% acidity expressed as Lactic Acid.
15. Yogurt	3.25%			8.5*	*Must be in compliance with National Food Labeling Laws and FDA Requirements. Not less than 1.9% acidity expressed as Lactic Acid.
16. Low Fat Yogurt	0.5%	2.0%		8.5*	Not less than 0.9% acidity expressed as Lactic Acid.
17. Non Fat Yogurt					Not less than 0.9% acidity expressed as Lactic Acid.
18. Frozen Yogurt					Not less than 0.9% acidity expressed as Lactic Acid.

PRODUCT	MILKFAT	CONTENT	MOISTURE CONTENT NOT MORE THAN	MILK SOLIDS NOT LESS THAN	MISCELLANEOUS REQUIREMENTS	
19. Frozen Yogurt Mixes	<u>Min.</u>	<u>Max.</u>		<u>Total Solids</u>	<u>S.N.F.</u>	Not less than 0.9% acidity expressed as Lactic Acid.
20. Egg Nog	6.0%				8.5*	*Must be in compliance with National Food Labeling Laws and FDA Requirements. Not less than 1% egg yolk solids.
21. Dry Curd Cottage Cheese	0.5%		80.0%			Calcium Chloride may be added in a quantity of not more than 0.2% calculated as Anhydrous Calcium Chloride of the weight of the mix.
22. Creamed Cottage Cheese	4.0%		80.0%			
23. Low Fat Partially Creamed Cottage Cheese	0.5%	2.0%	82.5%			Legal if properly labeled "Low Fat" Cottage Cheese. 2% butterfat required on the label.

PRODUCT	MILKFAT	CONTENT	MOISTURE CONTENT	NOT MORE THAN	MILK SOLIDS	NOT LESS THAN	MISCELLANEOUS
							REQUIREMENTS
<u>CONCENTRATED MILK PRODUCTS</u>	<u>Min.</u>	<u>Max.</u>		<u>Total Solids</u>	<u>S.N.F.</u>		
24. Evaporated Milk and Concentrated Milk	7.5%			25.5%			If Vitamin D is added, at least 25 USP units per fluid ounce must be added.
25. Plain Condensed Skim Milk Evaporated & Concentrated		0.5%		20.0%			
26. Sweetened Condensed Whole Milk	8.0%			28.0%			
27. Sweetened Condensed Skim Milk		0.5%		24.0%			
28. Whole Milk Powder or Dry Whole Milk	26.0%	40.0%	5.0%				Max. Moisture -- premium grade 2.25% extra grade 2.50% standard grade 3.00%
29. Skim Milk Powder, Dry Skim Milk or Non Fat Dry Milk		Extra grade 1.25% stand. grade 1.5%	Extra grade 4.0% standard grade 5.0%				

PRODUCT	MILKFAT	CONTENT	MOISTURE CONTENT NOT MORE THAN	MILK SOLIDS NOT LESS THAN	MISCELLANEOUS REQUIREMENTS
<u>MANUFACTURED MILK PRODUCTS</u>	<u>Min.</u>	<u>Max.</u>		<u>Total Solids</u>	<u>S.N.F.</u>
30. Ice Cream - Plain Fruit, Nut, Choco- late, and Bulky Flavors	10.0%			20.0%	Not more than 0.5% stabilizer Not less than 4.5 lbs. per gallon Not less than 1.6 lbs. food solids per gallon
31. Artificially Sweetened: Ice Cream - plain - Also Fruit, Nuts or Chocolate Ice Milk - plain - With Fruit and Nuts	10.0%				Permitted if not made from milk products. Label must bear a statement of percent of weight of protein, fat, and available carbohydrates in such food and the number of available calories supplied by a specified quantity of such foods. The label must also indicate the following: Contains " ", a non- nutritive, artificial sweetener, which should be used only by persons who must restrict their intake of ordinary sweets (blank to be filled with the name and percent of weight the non- nutritive sweetener in such food, and state on carton "Imitation Ice Cream" or "Ice Milk")
	8.0%				
	6.0%				
	6.0%				

PRODUCT	MILKFAT	CONTENT	MOISTURE CONTENT NOT MORE THAN	MILK SOLIDS NOT LESS THAN	MISCELLANEOUS REQUIREMENTS
32. Ice Milk - Plain Ice Milk - Fruit, Nut, or Chocolate and Bulky Flavors	<u>Min.</u> 2.0%	<u>Max.</u> 7.0%		<u>Total Solids</u> 11.0%	<u>S.N.P.</u> 6.0% min.
33. Sherbet	1.0%	2.0%		5.0% Max.	Same as above Minimum Acid .35% - weight/gallon 6.0#
34. Frozen Custard	10.0%			20.0%	0.5% stabilizer - weight/gallon 4.5# food solids per gallon 1.6# Flavors - same as for ice cream with fruit, nuts
35. Egg Yolks				1.4%	Per 90 pounds

PRODUCT	MILKFAT	CONTENT	MOISTURE CONTENT NOT MORE THAN	MILK SOLIDS NOT LESS THAN	MISCELLANEOUS REQUIREMENTS
36. Butter or Whipped Butter	<u>Min.</u>	<u>Max.</u>		<u>Total Solids</u>	<u>S.N.F.</u>
80.0%					1. The label must include a comparative statement expressing the reduction in calories and fat relative to butter.
Light Butter or reduced fat butter	52.0%				2. Optional ingredients include partially skimmed milk, skim milk, buttermilk, whey, whey-derived ingredients, water, salt or salt substitutes, bacterial culture, nutritive sweeteners, emulsifiers and stabilizers, safe and suitable color additives, natural flavors, and safe and suitable ingredients to improve texture, prevent syneresis, and extend shelf life.
37. Margarine					3. Vitamin A may be added to provide 15,000 international units per pound.
					Follow federal standards

PRODUCT	MILKFAT	CONTENT	MOISTURE CONTENT NOT MORE THAN	MILK SOLIDS NOT LESS THAN	MISCELLANEOUS REQUIREMENTS
38. Fluid filled milk products, evaporated, dry, fat, animal or vegetable cheese, frozen desserts (Mellorine Type), low fat frozen desserts (Mellorine Type), dessert topping, and filled dairy products	Min.	Max.		Total Solids	S.N.F.
					See North Dakota Century Code sections: 4-30-41 4-30-41.1 4-30-41.2 4-30-41.3
39. Imitation Sour Cream					Same as above

CHEESES		Minimum Milkfat in Solids	Maximum Moisture	Minimum Milkfat Content	Maximum Content
40. Asiago Cheese Fresh Medium Old		50.0% 45.0% 42.0%	45.0% 35.0% 32.0%		
41. Blue Cheese		50.0%	46.0%		
42. Brick Cheese		50.0%	44.0%		
43. Caciocavallo Siciliano Cheese		42.0%	40.0%		
44. Camembert Cheese		50.0%			
45. Cheddar Cheese		50.0%	39.0%		
46. Colby Cheese		50.0%	40.0%		
47. Cook Cheese			80.0%		
48. Cream Cheese			55.0%	33.0%	
49. Edam Cheese		40.0%	45.0%		
50. Gammelost Cheese			52.0%		
51. Gorgonzola Cheese		50.0%	42.0%		
52. Gouda Cheese		46.0%	45.0%		
53. Granular Cheese		50.0%	39.0%		
54. Gruyere Cheese		45.0%	39.0%		
55. Hard Cheese		50.0%	39.0%		
56. Hard Grating Cheese		32.0%	34.0%		
57. High Moisture Jack Cheese		50.0%	Min. +44.0% Max. 50.0%		
58. Limburger Cheese		50.0%	50.0%		

CHEESES		Minimum Milkfat in Solids	Maximum Moisture	Milkfat Content	
				Minimum	Maximum
59.	Monterey Cheese	50.0%	44.0%		
60.	Munster Cheese	50.0%	46.0%		
61.	Neufchatel Cheese		65.0%	20.0%	Less than 33.0%
62.	Nuworld Cheese	50.0%	46.0%		
63.	Parmesan Cheese	32.0%	32.0%	Minimum curing time -- not less than 10 months	
64.	Pineapple Cheese	50.0%			
65.	Provolone Cheese	45.0%	45.0%		
66.	Ricotta		80.0%	11.0%	
67.	Part-Skim Ricotta		80.0%	6.0%	11.0%
68.	Romano Cheese	38.0%	34.0%		
69.	Roquefort Cheese	50.0%	45.0%		
70.	Samsoc Cheese	45.0%	41.0%		
71.	Sap Sago Cheese		38.0%		
72.	Semi-Soft Cheese	50.0%	Min. +39.0% Max. 50.0%		
73.	Semi-Soft Part-Skim Cheese	Min. 45.0% Max. 50.0%	50.0%		
74.	Soft Ripened Cheese	50.0%			
75.	Spiced Cheese	50.0%			
76.	Part-Skim Spice Cheese	Min. 20.0% Max. 50.0%			
77.	Swiss Cheese and Emmentalen	43.0%	41.0%		

CHEESES		Minimum Milkfat in Solids	Maximum Moisture	Minimum	Milkfat Content Maximum
78.	Washed Curd Cheese, and Soaked Curd	50.0%	42.0%		
79.	Mozarella Scamorza Cheese	45.0%	Min. 52.0% Max. 60.0%		
80.	Low Moisture Mozarella Scamorza Cheese	45.0%	Min. 45.0% Max. 52.0%		
81.	Part-Skim Mozarella	30.0% 45.0%			
82.	Low Moisture Part-Skim Mozarella & Acamorza	30.0 - 45.0%			

Stabilizers may be used in cream cheese, but the amount shall not exceed 0.5% by weight of the cheese.

Non Dairy Fluid Beverage -- must be designated a "Dressing Product", must follow federal food and drug standards, must not contain milk as milk products, and must meet state standards for general foods.

Non Dairy Coffee Whiteners -- are legal with no standards for composition, must follow federal food and drug standards, must not contain milk as milk products, and must meet state standards for general foods.